IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION AT DAYTON

CLARK BRUNSON, JR.,

Plaintiff,

: Case No. 3:16cv00368

VS.

District Judge Thomas M. Rose

MONTGOMERY COUNTY, et al., : Magistrate Judge Sharon L. Ovington

:

Defendants. :

DECISION AND ENTRY

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #26), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

- 1. The Report and Recommendations docketed on August 3, 2017 (Doc. #26) is ADOPTED in full;
- 2. The Motion to Withdraw Plaintiff's Pro Se Proposed Amended Complaint and Leave to File Amended Complaint (Doc. # 23) is granted, in part, and Plaintiff's proposed Amended Complaint (Doc. #24) is accepted as filed with the exception of Count III, which is dismissed under Fed. R. Civ. P. 12(b)(6);
- 3. Defendant's Motion to Dismiss (Doc. #9) is denied as moot; and

August 18, 2017	*s/Thomas M. Rose
	Thomas M. Rose
	United States District Judge

4.

withdrawn and moot.

Plaintiff's pro se Motion for Leave to Amend (Doc. #12) is denied as